

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**JOHN C. BERKERY,**

Plaintiff,

*v.*

**METROPOLITAN LIFE INSURANCE  
COMPANY, et al.,**

Defendants.

**CIVIL ACTION**

**NO. 21-26-KSM**

**ORDER**

**AND NOW**, this 22nd day of January, 2021, upon consideration of *pro se* Plaintiff John C. Berkery's Application to Proceed *In Forma Pauperis* (Doc. No. 1) and his Complaint (Doc. No. 2), and for the reasons set forth in the accompanying Memorandum, it is **ORDERED** as follows:

1. Berkery's Application to Proceed *In Forma Pauperis* (Doc. No. 1) is **GRANTED**.
2. Berkery's Complaint (Doc. No. 2) is **DISMISSED with prejudice** for lack of subject matter jurisdiction.
3. The Clerk of the Court is directed to **CLOSE** this action.

**IT IS SO ORDERED.**

*/s/Karen Spencer Marston*

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KAREN SPENCER MARSTON, J.